

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JAMES J. HAYES, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

HARMONY GOLD MINING COMPANY
LIMITED, BERNARD SWANEPOL, and
NOMFUNDO QANGULE

Defendants.

Electronically Filed

No. 1:08-cv-03653-BSJ-MHD

(ECF Case)

CERTIFICATE OF SERVICE

I, Evan J. Smith, hereby certify that on June 16, 2008, the following documents were electronically filed with the Clerk of Court using the CM/ECF system and served on all parties on the below service list via transmission U.S. First Class Mail, postage prepaid.

1. Motion Of James J. Hayes To Be Appointed Lead Plaintiff And For Approval Of Lead Plaintiff's Selection Of Lead Counsel And Liaison Counsel;

2. Memorandum Of Law In Support Of The Motion Of James J. Hayes To Be Appointed Lead Plaintiff And For Approval Of Lead Plaintiff's Selection Of Lead Counsel And Liaison Counsel;

3. Declaration Of Evan J. Smith In Support Of The Motion Of James J. Hayes To Be Appointed Lead Plaintiff And For Approval Of Lead Plaintiff's Selection Of Lead Counsel And Liaison Counsel; and

4. [Proposed] Order Appointing Lead Plaintiff And Approving Lead Plaintiff's Selection Of Lead Counsel And Liaison Counsel

/s Evan J. Smith, Esquire (ES3254)
Evan J. Smith (ES3254)

Legal Department
c/o Harmony Gold Mining Co. Ltd.
PO Box 2
Randfontein
1760
SOUTH AFRICA

Bernard Swanepol
c/o Harmony Gold Mining Co. Ltd.
PO Box 2
Randfontein
1760
SOUTH AFRICA

Nomfundo Qangule
c/o Harmony Gold Mining Co. Ltd.
PO Box 2
Randfontein
1760
SOUTH AFRICA